

IN SENATE OF THE UNITED STATES.

FEBRUARY 24, 1846.

Submitted, and ordered to be printed.

Mr. BREESE made the following

REPORT:

*The Committee on Public Lands, to whom was referred the petition of Philip Pearce, have had the same under consideration, and ask leave to report :*

That the petitioner claims to have settled in October, 1836, upon the southeast quarter of section 12, in township 10 north, of range 2 east, of the 4th principal meridian, in the tract set apart for military bounties, in the State of Illinois; that he settled upon it with the expectation of obtaining a pre-emption to it; that he has been informed by a letter from the Commissioner of the General Land Office, that the quarter section in question was patented in 1817 to one John Hackett, and subsequently cancelled; that he has made valuable improvements on the tract, and that it is now worth, by reason of them, three thousand dollars, and prays for the privilege of entering the same at the minimum price, subject to any right or claim of the patentee (Hackett) or his heirs.

It will be perceived by the accompanying letter from the Commissioner of the General Land Office, that the petitioner is under a misapprehension as to the condition of said quarter section; that it has been sold and patented as far back as 1838 to one Simeon McCallister. The committee therefore are of opinion that the prayer of the petitioner ought not to be granted.

GENERAL LAND OFFICE,  
February 20, 1846.

SIR: I have the honor to return herewith the petition of Philip Pearce, stating that he has cultivated and improved the southeast quarter of section 12, township 10 north, range 2 east, 4th principal meridian, Quincy district, Illinois, and praying the passage of an act authorizing him to enter the same at \$1 25 per acre, which you referred to this office, on the 16th instant, for a report, &c.

Mr. Pearce states that he has been informed by a letter from the Commissioner of the General Land Office that the said quarter was patented in 1817 to John Hackett, and the patent sent, January, 1822, to the governor of the State of Illinois, and by him returned as a dead letter to the Com-

missioner of the General Land Office; that Josiah Meigs, while Commissioner of the General Land Office, vacated and cancelled the said patent, for the reason that the same had never been called for by the said patentee or any person for him," &c.

If any such information has been communicated from this office, the record of it is not to be found.

The south-east quarter of section 12, township 10 north, range 2 east, of the 4th principal meridian, in Illinois, was entered by Simeon McCallister, of Knox county, Illinois, on the 13th December, 1834, per certificate of purchase No. 1,015, and patented to him on the 4th of August, 1838.

The north-east quarter of section 12, township 10 north, range 2 east, of the 4th principal meridian, was located on the 29th November, 1817, by military bounty land warrant No. 6,212, in favor of John Hackett, late a private in Chapman's company, 6th regiment of infantry, by Joseph Watson, formerly of this place, but now dead, in virtue of a power of attorney purporting to have been executed by said soldier on the 1st of June, 1816, and a patent was about being issued accordingly; but before it was entirely completed, a letter was received from John Hackett, protesting against the location, and directing that no patent be issued until further instructions were received from him, and the completion of the patent was thereby stayed. *This statement in reference to this tract* has been repeatedly made to different persons making inquiry in relation thereto, and from the analogy of the two cases, it is presumed that Mr. Pearce has reference to the north-east quarter of section 12, township 10 north, range 2 east, instead of the south-east quarter. If so, I would further state that a person in Illinois by the name of John Hackett, claiming to be the soldier in question, but who has not yet identified himself as such, has since made application for said bounty land patent, assenting to the location which had been made, and as yet this office considers the said northeast quarter as occupied by said warrant, and not as public land; and I deem it proper further to state, in reference to this tract, that there is on file in this office a letter from a Mr. Parnach Owen, of Knoxville, Knox county, Illinois, dated February 23, 1837, stating that he had been residing on and cultivating the said northeast quarter of section 12, township 10 north, range 2 east, for about four years, and had made various improvements on the same.

I am, sir, very respectfully, your obedient servant,

JAS. SHIELDS,  
Commissioner.

Hon. SIDNEY BREESE,

*Chairman of Committee on Public Lands, U. S. Senate.*